

E-filed 5/4/07

GEORGE A. RILEY (State Bar No. 118304)
O'MELVENY & MYERS LLP
Embarcadero Center West
275 Battery Street
San Francisco, California 94111-3305
Telephone: (415) 984-8700
Facsimile: (415) 984-8701
E-Mail: griley@omm.com

Attorneys for Defendants
STEVEN P. JOBS, WILLIAM V. CAMPBELL,
MILLARD S. DREXLER, ARTHUR D. LEVINSON,
JEROME B. YORK AND APPLE INC.

JEROME C. ROTH (State Bar No. 159483)
YOHANCE C. EDWARDS (State Bar No. 237244)
MUNGER, TOLLES & OLSON LLC
560 Mission Street, 27th Floor
San Francisco, California 94105
Telephone: (415) 512-4000
Facsimile: (415) 512-4077

Attorneys for Defendant FRED ANDERSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

MARTIN VOGEL and KENNETH
MAHONEY, on Behalf of Themselves and
All Other Similarly Situated,

Plaintiffs,

v.

STEVEN JOBS, PETER OPPENHEIMER,
FRED ANDERSON, WILLIAM V.
CAMPBELL, MILLARD S. DREXLER,
ALBERT GORE, JR., ARTHUR D.
LEVINSON, JEROME B. YORK AND
APPLE COMPUTER, INC.

Defendants.

Case No. C-06-05208-JF

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME FOR
DEFENDANTS TO RESPOND TO
COMPLAINT**

Action Filed: August 24, 2006
Jury Trial Demanded

1 The undersigned parties by and through their respective counsel of record, hereby
 2 stipulate and agree as follows:

3 WHEREAS, the Court entered an Order on March 19, 2007 setting the schedule for the
 4 filing of a Consolidated Class Action Complaint in this action ("Consolidated Complaint") and
 5 setting May 7, 2007 as the date for the parties originally named as defendants in the suit to
 6 respond; and

7 WHEREAS, the Consolidated Complaint, filed on March 23, 2007, added new defendants
 8 who were not named in the original suit, namely, Gareth C.C. Chang, Peter O. Crisp, Lawrence J.
 9 Ellison, B. Jurgen Hintz, Katherine M. Hudson, Delano E. Lewis, Jr., A. C. Markkula, Jr., and
 10 Edgar S. Woolard, Jr. ("New Defendants");

11 WHEREAS, the Court issued summonses to the New Defendants on April 23, 2007;

12 WHEREAS, some of the New Defendants have been served and the remainder are
 13 expected to voluntarily accept service;

14 WHEREAS, the parties have met and conferred and wish to establish a new schedule
 15 governing the filing of all defendants' responses to the Consolidated Complaint;

16 NOW, THEREFORE, the undersigned parties hereby stipulate and agree, subject to the
 17 approval of the Court, as follows:

18 1. All defendants who have been served or who shall voluntarily accept service shall
 19 file their responses to the Consolidated Complaint on or before June 8, 2007;

20 2. In the event that defendants respond to the Consolidated Complaint by filing
 21 motions to dismiss, the briefing and hearing schedule for defendants' motions to dismiss will be:

22 Plaintiffs' Opposition Due: July 30, 2007

23 Defendants' Replies Due: August 17, 2007

24 Hearing on Defendants' Motions to Dismiss: September 7, 2007

25 ///

26 ///

27 ///

28 ///

1 IT IS SO STIPULATED.

2
3 Dated: May 3, 2007

GEORGE A. RILEY
DAVID M. FURBUSH
O'MELVENY & MYERS LLP

5
6 By: /s/ David M. Furbush
David M. Furbush

7 Attorneys for Defendants STEVEN P. JOBS, WILLIAM
8 V. CAMPBELL, MILLARD S. DREXLER, ARTHUR
D. LEVINSON, JEROME B. YORK AND APPLE INC.

9 Dated: May 3, 2007

JEROME C. ROTH
YOHANCE C. EDWARDS
MUNGER TOLLES & OLSON LLP

11
12 By: /s/ Yohance C. Edwards
Yohance C. Edwards

13 Attorneys for Defendant FRED D. ANDERSON

14 Dated: May 3, 2007

JAY W. EISENHOFER
GEOFFREY C. JARVIS
MICHAEL J. BARRY
MARY S. THOMAS (State Bar No. 175110)
LESLEY E. WEAVER (State Bar No. 191305)
GRANT & EISENHOFER P.A.
Chase Manhattan Centre
1201 N. Market Street
Wilmington, DE 19801

19
20 By: /s/ Michael J. Barry
Michael J. Barry

21 MERRILL GLEN EMERICK (State Bar No. 117248)
22 ANDERLINI, FINKSELSTEIN, EMERICK & SMOOT
400 S. El Camino Real, Suite 700
23 San Mateo, CA 94402

24 Attorneys for Lead Plaintiff THE NEW YORK CITY
EMPLOYEES' RETIREMENT SYSTEM
25
26
27
28


1 I, David M. Furbush, am the ECF User whose ID and password are being used to file this
2 Stipulation and [Proposed] Order Extending Time to Respond to Complaint. In compliance with
3 General Order 45, X.B., I hereby attest that Yohance C. Edwards and Michael J. Barry have
4 concurred in this filing.

5 By: /s/ David M. Furbush
6 David M. Furbush

7
8 **ORDER**

9 PURSUANT TO STIPULATION, IT IS SO ORDERED.

10
11 Dated: 5/4/07

12 By: 
13 THE HONORABLE JEREMY FOGEL
14 UNITED STATES DISTRICT JUDGE

15 MP1:999138.1
16
17
18
19
20
21
22
23
24
25
26
27
28